

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID SCOTT KOVEN SR., and  
ROXANNE DIANE KOVEN,

Plaintiffs,

V.

TODD HAMMOND, Plattsmouth  
Police Officer, LEROY LEWIS,  
Plattsmouth Police Officer, DAVID  
MURDOCH, Plattsmouth Police  
Chief, ROBERT SORENSON,  
Plattsmouth Police Officer, ANDREW  
KENAN, Plattsmouth Police  
Detective, and DAVID WALKER,  
Plattsmouth Police Detective,

Defendants.

8:10CV373

ORDER

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William O'Brien has moved to withdraw as Plaintiffs' counsel in this case ([filing 62](#)). Mr. O'Brien has advised the Court that Plaintiffs have terminated him as their representative and are in the process of obtaining new counsel. Under these circumstances, the motion to withdraw will be granted.

Accordingly,

**IT IS ORDERED:**

1. The Motion to Withdraw as Plaintiffs' Counsel ([filing 62](#)) is granted.
2. Mr. O'Brien shall immediately serve copies of this Order on Plaintiffs and thereafter file **proof of service** showing compliance with this Order, listing the names and addresses of the persons to whom notice was sent. **Mr. O'Brien will not be relieved of applicable duties to the Court, Plaintiffs, and**

**opposing counsel until proof of service is filed.**

3. Upon the filing of proof of service pursuant to Paragraph 2 of this Order, Plaintiffs will be deemed to be proceeding *pro se*, that is, without the assistance of counsel, **unless** substitute counsel has entered a written appearance on their behalf. If substitute counsel has not entered a written appearance, Plaintiffs shall file a written notice with the Clerk of the Court of Plaintiffs' current address and telephone number within five (5) business days of being served with this Order. Plaintiffs may retain substitute counsel at any time, however, until such time as substitute counsel enters a written appearance, Plaintiffs shall comply with all orders of this Court, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions, including payment of costs and attorney's fees and/or the entry of default.
4. Upon Mr. O'Brien's submission of proof of service as described in Paragraph 2 of this Order, the Clerk of Court shall terminate Mr. O'Brien's appearance as counsel and cease further notices to him in this matter.

**DATED June 10, 2013.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**